

# Confidentiality & Nondiscrimination Handbook



**"It's About Kids"**

Fayette County Public Schools  
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Lexington, KY 40502  
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FAYETTE COUNTY  
BOARD OF EDUCATION

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Board Adopted  
August 23, 2004

**“It’s About Kids”**

The Board of Education of Fayette County does not discriminate on the basis of sex in the educational programs or activities that it operates, and is required by Title IX of the Education Amendments of 1972 (P.L. 92-318) not to discriminate in such a manner; further, the Board of Education does not discriminate on the basis of disabling condition, in treatment, admission or access to, or employment in, its programs or activities, as required by the Rehabilitation Act of 1973 (P.L. 93-112), as amended, Section 504; nor does the Board of Education discriminate on the basis of race, creed, color, religion, sex (as protected by Title VII), national or ethnic origin, political affiliation, age, or disabling condition, in the education programs or activities it operates. Contact: Barbara Connor, Civil Rights Compliance Officer, 701 East Main Street, Lexington, KY 40502, (859) 381-4318.

# **CONFIDENTIALITY AND NONDISCRIMINATION HANDBOOK**

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## **I. STATEMENT OF INTENT**

All employees and persons having access to District records shall keep information confidential. The purpose of this handbook is to set forth the procedures and safeguards that shall govern the access to, and release of, student and personnel records and other information to persons, agencies, and organizations within and outside the Fayette County Public School System. This handbook is also intended to put forth nondiscrimination policies and procedures for the Fayette County Public School System. This handbook is in keeping with the policies as adopted by the Fayette County Board of Education and pursuant to state and federal law.

***This handbook is not an all-encompassing document and may not address issues resulting from unusual circumstances. It is your responsibility to refer to the Board policies and/or administrative procedures for further assistance. If a conflict exists between this handbook and the Board policies and/or administrative procedures, the policies and procedures shall govern.***

The information in this handbook is subject to change as situations warrant. It is understood that changes in the policies may supersede, modify, or eliminate information in this handbook. Any changes will be made in a timely fashion to the electronic version of this handbook located at [www.fcps.net](http://www.fcps.net).

Questions regarding this handbook and information contained herein shall be directed to the Office of General Counsel.

## **II. CONFIDENTIALITY**

### **A. DEFINITIONS OF TERMS USED IN IMPLEMENTATION**

**Accessible to Parents** -- The parent, eligible student, or the authorized representative may review and inspect any information related to the student collected, used, or maintained by the Fayette County Public Schools.

- If test protocols and raw data generated by an evaluator in conducting a student evaluation are communicated or revealed to others, the test protocols and raw data become educational records and are accessible to parent(s).
- Notes or documents in the "sole possession" of the creator are exempt from parent or student access if the following criteria are met:
  - a. it is a private note created solely by the individual possessing it;
  - b. it is a personal memory aid;
  - c. its contents are accessible to and revealed to no one except the creator's temporary substitute.

If another person, such as another teacher, is knowledgeable of the contents of these notes, then they are subject to review by parent(s) or the eligible student. If the creator orally communicates information from such notes or documents, the documents become accessible to parent(s) for review, even though maintained in the sole possession of the creator.

**Confidential Employees** -- Those persons in positions which, because of the responsibilities of their job, may have access to information that requires the utmost protection.

**Confidentiality** -- The protection of all personally identifiable data, information, and records collected, used, or maintained by the Fayette County Public Schools.

**Directory Information** -- Includes the following information relating to a student: the student's name, address, telephone number, birth date, grade level, participation in officially recognized activities and attendance, awards received (including recognition of honor rolls), school attending (or last attended). Directory information is not all inclusive in terms of all attendance centers. Specifically excluded is

such information on students attending specified special schools or programs.

**Disclosure** -- The act of permitting access to, having interpretation of, transferring, or otherwise releasing records to any party, either in writing, orally, electronically, or by any other means to any party.

**Educational Records** -- Documents and other materials directly related to a student that are collected, maintained, or used by the Fayette County Public Schools. This includes records maintained by other agencies and individuals who have performed services for students on behalf of the Fayette County Public Schools. Educational records include, but are not limited to:

- personal and family data;
- evaluation and test data including aptitude, achievement, intelligence, personality, behavior observation, and other diagnostic information;
- medical, psychological, and anecdotal reports (if shared with others);
- all records of school achievement and progress reports;
- student portfolios;
- all discipline records;
- records of conferences with students and/or parent(s);
- copies of correspondence about the student;
- any photographs or video recordings of a student;
- other information or data that is used in working with the student or required by federal and state regulations.

**Legitimate Educational Interest** -- The care and concern relating to the welfare or benefit of a student that is educational in nature, as opposed to curious, personal, or commercial, and conforms to recognized rules supported by codes of ethics, tradition, custom, or accepted standards.

**Parent** -- Includes a natural parent, a guardian, a lawful custodian, or an individual acting as a parent of a student in the absence of a parent or guardian. **Either** natural parent has authority to exercise the rights inherent in this policy unless the schools have been provided with a court order which provides expressly to the contrary. If there is any question whether the information should be provided, contact should be made with the General Counsel.

**Personally Identifiable** -- Data or information that makes it possible to identify a person with reasonable certainty. Included in this definition are:

- the name of employee, student, and parent or other family member
- the address of employee, student, and residence phone number
- the Social Security or census number
- a list of personal characteristics (height, weight, sex, race, hair color, and so forth)

**Personnel Records** -- Records, files, documents, tests, letters, transcripts, forms, and other materials that contain information directly related to a specific individual and are maintained by Fayette County Public Schools.

**Protection of Records** -- Denial of access to, or release, transfer, or other communication of, educational records or the personally identifiable information contained in those records by any means, including oral, written, or electronic means, to any party for unauthorized or improper use.

**Records** -- Any information or data recorded in any form, including but not limited to: handwriting, print, tapes, Braille, diskettes, film, microfilm, microfiche, photographs, or drawings.

**School Officials** -- Employees of the District who, as a part of their assigned duties, generate, interpret, record, file, transfer, or otherwise process data contained in the student's education records. Included are school administrators, teachers, registrars, secretaries, or paraprofessionals acting for teachers and administrators.

## ***B. STUDENT RECORDS***

In order to provide students with appropriate instructional and educational services, it is necessary for the school system to maintain accurate and sometimes personal information about the student and his/her family. In recognition of this confidential nature of student records, no person, agency, or firm seeking information, except those defined within the exceptions of the federal and state Family Educational Rights and Privacy Act (FERPA), as amended by the Individuals with Disabilities Education Act of 1990 (IDEA-B), is entitled to access to student records without prior written consent. This consent may be given by the individual student if he/she is now 18 or older or from the parent(s) or guardian(s) if the student is under 18. (*See Section III[C], FERPA.*)

Unless dealing with other District staff or other **known** individuals with a right to know (i.e., parent, guardian, etc.), school staff shall not discuss confidential matters over the telephone. School staff shall insist that a

request for information, other than from other District staff, be made in writing on official stationery.

When school staff are in doubt about what information to release in a judicial proceeding, they should arrange a conference with the General Counsel to the Board to explain the dilemma and receive advice on how to proceed.

### **Cumulative Record**

The student's cumulative record follows a student through school and remains the record of education experience after the student leaves school. Student records are defined to be all official records, files, and data directly related to a child, including all material that is incorporated into each student's cumulative record folder, and intended for school use. Care should be taken to keep the cumulative record accurate, neat, clean, up-to-date, and safe. Each year under the Principal's direction, the teacher or counselor should purge the record of all out-of-date and unnecessary material. A student's cumulative record shall not be taken off school property without prior authorization from the Principal.

### **Counseling Records**

Records of the counseling relationship, including interview notes, are to be considered professional information for use in counseling, and they are not part of the public or official records of the institution in which the counselor is employed. Revelation to others of counseling materials shall occur only upon the express consent of the student. If these counseling records or their content are shared with others, they may lose their "sole possession" designation.

### **Free and Reduced Price Records**

The use or disclosure of students' free and reduced price school status to specific programs or individuals without prior parent/guardian consent may be made pursuant to applicable law. This does not allow for release of any other information on free and reduced price applications.

### **Law Enforcement Records**

Records of the Department of Law Enforcement regarding students are not available for public inspection except upon court order or subpoena.

## Students With Disabilities Records

Records for students identified as "disabled" shall be maintained in accordance with all appropriate federal and state regulations. Access to these records will be restricted to personnel having specific responsibility in this area. A list of all approved personnel having access to these restricted files shall be updated as needed and a current/dated list is to be posted in the central student records location.

## Missing Children

Upon notification by the Chief State School Officer of a child's disappearance, the District in which the child is currently or was previously enrolled shall flag the record of such child in a manner that whenever a copy of, or information regarding, the child's record is requested, the District shall be alerted to the fact that the record is that of a missing child. Instead of forwarding the records of a child who has been reported missing to the agency, institution, or individual making the request, the District shall notify the Justice Cabinet.

## Review of Student Records

- A student 18 years of age or older **or** his/her parent, if the student is under 18 or is the parent's dependent, shall have access to the student's records under administrative supervision during those times the school is normally in session, unless arrangements for another time have been made in writing. The student of age or parents/guardians have the unique right to inspect the academic record and are entitled to an explanation of any information recorded on the record. Examination of the record will be permitted under conditions which will prevent its alteration or mutilation. Students who are not 18 years old shall not have access to their educational records without parental consent.
- Staff members ***who have a legitimate interest and need to know*** will be allowed information concerning the record of any student. Such use shall be limited to specific needs for providing the student with educational and welfare services.

## Release of Student Records

- As students move into another school district, record information will be released to the receiving school district upon verification of the student's enrollment by an authorized person. Any additional record request from subsequent school districts must be accompanied by permission to release from the student and/or parents/guardians.
- The record will not be released to an outside agency or another school without the written authorization of the parents/guardians if the student is under 18 years of age. If 18 or older, authorization for release shall be by the student. Requests in writing for records will be considered as a release by an individual applying for school admission or employment.
- Information obtained in confidence shall remain private and be accorded the utmost security. The confidentiality of necessary professional evaluations shall be maintained.
- Information from student files shall not be available to unauthorized persons within the school or to any person outside the school without the express consent of the student or the parents/guardians except under legal compulsion or in cases where the safety of persons or property is involved.
- A charge of ten cents (\$.10) per page (or going rate) shall be charged for copies of student records. This charge shall not apply to the first copy obtained by parents/guardians of a student with disabilities.

Each student's official school record shall include, but not be limited to, the following:

- **RECORDS TO BE RETAINED PERMANENTLY:**
  - Name and address of parent
  - Verification of date and place of birth
  - Dates and record of attendance
  - Course enrollment and grades
  - Achievement test data
  - Date of graduation or withdrawal
  - Special education demographic information
- **RECORDS OF VERIFIABLE INFORMATION TO BE RETAINED DURING THE STUDENT'S SCHOOL CAREER (may be destroyed six [6] months following graduation):**
  - Medical/health data

- Individual psychological/intelligence evaluation (gathered with written consent of parents)
- Other verifiable information to be used in educational decision making
- Due process records for children with disabilities
- Teacher data folders for classroom monitoring
- Discipline files

## **Maintaining Student Records**

- Transcripts of the scholastic record shall contain only true factual information. The school shall confine its record-keeping to tasks with clearly defined educational ends.
- Items listed as to be maintained permanently shall be retained for 100 years. Those listed under “to be retained during student’s school career” shall be retained during the student’s school life and may be destroyed six months following graduation unless the school code imposes other restrictions.
- Teacher and staff comments on student records shall be confined to matters related to student performance. Value judgments and anecdotal notes shall be excluded from the records.
- Student records will be considered as current educational or therapeutic tools and will be available only for use as such.

## **Forms to be Used**

The following forms are to be used in releasing information:

- SRF 118 Authorization for Release or Inspection of Student Records  
(See Appendix B)
- SRF 119 Request for Hearing (See Appendix C)
- SRF 120 Log of Inspection of Records (See Appendix A)

## **C. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The guidelines contained herein are to be followed in carrying out the intent of the federal and state Family Educational Rights and Privacy Act (FERPA).

## **Types and Locations of Records**

The records that may be inspected and reviewed by parents or guardians and students 18 years of age or older, are:

All official school records, files, and data directly related to students, including all material that is incorporated into each student's cumulative record folder and intended for school use or to be available to parties outside the school or school system. These records shall be maintained at the sites indicated and shall be in custody of the person filling the position designated by each item below. Where such records include information on more than one student, the parent of any student (or student 18 years of age or older) shall be entitled to receive that part that pertains to the student in question.

Records located in the schools shall specifically include, but are not necessarily limited to:

<b>Type of Record</b>	<b>Location</b>	<b>Custodian</b>
Cumulative School Records (Present and Former Students)	Principal's Office	Principal
Health Records	Principal's Office	Principal
Testing Records	Principal's Office	Principal
Due Process and Testing Records for Gifted Students Services	Principal's Office and Department of Student Achievement	Principal and Associate Director of Gifted
School Transportation Records	Division of Transportation	Associate Director of Transportation
Due Process and Testing Records for Students with Disabilities	School and Department of Special Education	Principals and Director of Special Education
IEP Monitoring Folder •Curriculum Based Assessment	Special Education Teacher	Special Education Teacher

Free and Reduced Price Meal Applications	Division of Food Service	Associate Director of Food Service
Other Records Not Listed Above	Principal will collect and make available at student's school	Principal

The term "Principal" includes Associate Principal, counselor, or others designated by the Principal.

**Inspection of Records**

The law requires that schools maintain a log of certain instances of inspections or requests for inspection of student records; therefore, persons inspecting or requesting inspection of student records or any other person(s) requesting inspection must complete Form SRF 120 (*See Appendix A*), which becomes a permanent part of the student's records. In the event of a transfer of student records outside the school system, Form SRF 120 shall be removed from the folder and kept on file in the Principal's office. According to federal regulations, this requirement does not apply to: (1) disclosures to a parent of a student or to an eligible student when the consent is specific with respect to the party or parties to whom the disclosure is to be made, (2) disclosures to school officials, or (3) disclosures of directory information (with proper authorization from Superintendent).

**Response to Request to Review**

Response to request to review, inspect, or transfer copies of student information should be done as soon as it is feasible and within the mandated applicable time frame.

All applicable Student Review Forms (SRF) must be completed before any review, inspection, or transfer of copies is accomplished, and the original of all authorization forms shall become a part of the student's educational records.

**Who May Review Records, Without Permission**

The following may review, inspect, or receive copies of student's records **without** prior written permission from the parents or guardians and students 18 years of age or older:

- Parents or guardians, if the student is under 18 years of age. **Either** natural parent of a student may inspect or receive copies of student records, even though they may **not** have custody, unless a specific court order or state law forbids it.
- Students 18 years of age or older.
- Principals, Associate Principals, school counselors, school registrars, and school social workers.
- Teachers who have direct academic involvement with the student and any substitutes in the case of absence of teachers, with the approval of the Principal, (including student teachers where specifically authorized by a teacher or the Principal) who have direct current academic involvement with the student.

Further, a student teacher, student intern, or practicum student may be assigned by the Principal or by a teacher a specific limited number of students for individual case studies.

- School staff and volunteers as authorized by the Principal.
- The Superintendent, or his designated representative, or the appropriate Director.
- Persons authorized by the Superintendent, or his designated representative, in connection with a student's application for, or receipt of, financial aid.
- Representatives of the Comptroller General of the United States, the Secretary of Health, Education, and Welfare, State and Local Educational Authorities in connection with an audit and evaluation of federally supported educational programs, or in connection with the enforcement of the federal legal requirements which relate to such programs, but in such a manner that the particular student cannot be identified in connection with such audit or evaluation.
- Other persons who are authorized by a court of competent jurisdiction or by a lawfully issued subpoena upon condition that a reasonable effort is made to notify the parent of the student or the eligible student of the court order or subpoena in advance of the compliance by school personnel. A record of such effort shall be kept in the student's cumulative folder.

- Officials of other schools or school systems in which the student intends to enroll, upon condition that the student's parents or guardians, or a student who has attained 18 years of age, may receive a copy of the record if they desire, at their expense, and have an opportunity for a hearing to challenge the content of the record. A Student Record Release Form (*See Appendix D*) is to be completed prior to transfer of records.
- To organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction; provided that the studies are conducted in a manner which will not permit the personal identification of other students and their parents by individuals other than representatives of the organization and the information will be destroyed when no longer needed for the purpose for which the study was conducted; the term "organizations" includes, but is not limited to, federal, state, and local agencies, and independent organizations.
- Accrediting organizations in order to carry out their accrediting functions.
- Appropriate parties in a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Under ordinary circumstances, the only records of students that will be sent to other school systems shall be the cumulative folder which will include standardized tests results, attendance data, health data, and expulsion records in compliance with KRS 158.155.

### **Who May Review Records, With Permission**

The following may review, inspect, and receive copies of students' records **with** prior written permission from the parents, guardians, or students 18 years of age or older:

Any person or representative of any agency that the parents or guardians or student 18 years of age and older gives prior written permission. Form SRF 118 (*See Appendix B*) must be filled out completely and placed in the student's folder for future audit.

### **Release to Third Parties**

Particular attention is called to the federal law, which deals with third parties and reads as follows:

With respect to this subsection, personal information shall only be transferred to a third party on the condition that such party will not permit any other party to have access to such information without the written consent of the parents of the student.

This simply means that those who use the files must keep the information to themselves, or get written permission to give the information to another person. All individuals, except parents, eligible students, and employees of the FCPS with a legitimate educational interest in the records, shall sign a Log of Inspection Form (*Form SRF 120*) immediately prior to inspecting and reviewing the record. Form SRF 118 shall accompany all transfers to student records. Requests by third parties shall be made in writing and directed to the attention of the General Counsel.

### **Right to Review by Student Age 18 Years or Older**

When a student attains the age of 18 years or is attending an institution of post-secondary education, his parents or guardians no longer have the right to grant review, inspection, or copying of the student's records. The student has acquired the sole right to review or grant reviews and inspection of the records. Therefore, all written permission must come from the student for review, inspection, and transfer of copies of information in the student's folder.

If a student is 18 years or older, but is a dependent of the parent(s) under the Internal Revenue Code, the parent may still review records without consent of the eligible student.

## Challenge to Content/Accuracy of Records – Cumulative Folder

- a. In the event of a challenge to the content or accuracy of a student's records upon the basis that the information contained therein is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, Form SRF 119 (See *Appendix C*) must be completed and the parent of the student or the eligible student must be given the opportunity for a hearing to be conducted by the appropriate administrator appointed by the Superintendent, who shall be designated as the "hearing official." The hearing will be held within a reasonable period of time after the Superintendent has received a request for such a hearing and the parent of the student and/or the eligible student shall be given notice of the date, place, and time of the hearing reasonably in advance of the same.
- b. The parent of the student or the eligible student shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of his or her choice, including an attorney, at his or her own expense.
- c. If, as a result of the hearing, the Board of Education, through its hearing official, decides that the information is not inaccurate, misleading, or otherwise in violation of privacy or other rights of students, it shall inform the parent or eligible student of the right to place in the education records of the student a statement commenting upon the information in the education records and/or setting forth any reasons for disagreeing with the decision of the hearing official.
- d. Any explanation placed in the education records of the student, under paragraph (c) above, shall:
  1. Be maintained by the Board of Education as part of the education records of the student as long as the records or contested portion thereof are maintained by the Board of Education, and
  2. If the education records of the student or the contested portion thereof are disclosed by the Board of Education to any party, the explanation shall also be disclosed to that party.
  3. The hearing official shall make his/her decision in writing within a reasonable period of time after the conclusion of the hearing.

4. The decision of the hearing official shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

### **Challenge to Content/Accuracy of Records – Special Education (IDEA)**

The parent(s) may request a hearing to challenge information in the education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. Such request must be in writing to the Director of Special Education, who shall appoint a neutral hearing officer. This hearing officer shall be a school official with no interest in the outcome of the hearing. The hearing officer shall conduct the hearing in accordance with the following procedure:

- a. The hearing officer will set the date for the hearing, which must be held within fourteen (14) school days after the request is received. The hearing officer shall notify the parent(s) well in advance of the exact date, place, and time of the meetings, as well as these hearing procedures.
- b. The parent(s) shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by an individual of his/her choice, including an attorney, at his/her own expense.
- c. The decision of the hearing officer shall be based solely upon evidence presented at the hearing by both the parent(s) and school officials.
- d. The hearing officer shall make a decision within fourteen (14) school days after the conclusion of the hearing. The parent(s) shall be notified, in writing, of the decision. This notice shall include a summary of the evidence presented and reasons for the decision.
- e. If the decision is that the records are not inaccurate, misleading, or in violation of the privacy or other rights of the child, the parent(s) shall have the right to place in the education records of the student a statement commenting upon the information in the records and/or setting forth any reasons for disagreeing with the decision. Such statements shall be maintained as a part of the educational records as long as the contested portion of the records is maintained and if the contested portion is disclosed to

another party, this statement shall also be disclosed to such party.

- f. If the records of a child with a disability are not amended as a result of a hearing, his/her parents shall be informed of their right to appeal to the Kentucky Department of Education.

## Directory Information

"Directory Information" shall be released, upon written request, to the news media, athletic associations, military recruiters, higher education providers, scholarship or college entrance committees, or official organizations **only** if the need for data is connected with student help activities. "Directory Information" shall be released, unless the parent, legal guardian, custodian, or student 18 years of age or older specifies in writing, by October 1 of each school year or within 30 days of enrollment if after October 1, that all or part of the data relating to the student be withheld. The request to withhold must be in writing and shall be filed in the office of the Principal. **Any other requests for directory information shall be in writing seeking approval by the Superintendent.** The request shall clearly describe the reason and the use for which the information shall be used. Any information released by the Superintendent shall be used specifically for the purpose stated in the request and none other.

Directory information is:

- Student's name, address, telephone number, and date of birth.
- Student's participation in officially recognized activities or sports, including weight and height, including number of semesters in high school (9-12), and number of years as a varsity player of a sport.
- Student's dates of membership but not the actual attendance record by days.
- Awarding of credits, diplomas, and special recognitions.
- Name of last educational institution or agency student was enrolled in prior to enrollment in Fayette County Public Schools.

## **Informing Parents/Students of Rights**

The Board shall publish in the *Student Code of Conduct* an annual notification to all parents, and to students 18 years of age and older, of rights under the following:

- A summary of the rights and procedures afforded parents under the Family Educational Rights and Privacy Act (FERPA);
- A statement of the location(s) where copies of this policy and procedures may be obtained by parents upon request;
- A statement of the District's policy with regard to transfer of records and release of directory information;
- A statement of parent's right to file complaints to the FERPA office of the U.S. Department of Education concerning alleged failures of the District to comply with this act.

## **D. PERSONNEL RECORDS**

### **Confidential Information and Disclosure of Information**

Orderly administration of the school District requires the compilation of information about all employees. The Board recognizes that all personnel files are confidential and must be considered privileged, except for those documents subject to release under the Open Records Act.

A personnel file will be available for examination: (1) at any time by the Superintendent or the supervisory personnel he/she designates; and (2) during regular business hours by the employee or his/her personally authorized representative.

A personnel file will not be made available to others except as required by law.

Individual Board Members have no authority, even when the Board is in session, to review personnel files.

## **Distribution of Personnel Directories**

The distribution of personnel directories in which the names and addresses of employees are listed is restricted. They will be distributed only in a manner that make a significant contribution to the operation of the schools. No directory shall be distributed without approval of the Superintendent. Under no circumstance shall a directory be released for political, solicitation, sales, or commercial purposes. Directories will be numbered and distributed only to administrative supervisory personnel or others as designated by the Superintendent. Directories will be prepared and distributed by the Office of the Superintendent each year. New directories will be distributed upon return of the old directory. Old directories are to be discarded in the most secure and efficient manner as determined by the Superintendent.

The school system will not give the names and addresses of employees to anyone unless state statute or a ruling of the Attorney General so mandates. All supervisory personnel are to advise all personnel having access to names and addresses that there is no exception to this policy.

Employees or former employees may authorize the release of employment-related information to specific businesses and lending institutions. If such authorization has not been given to the Office of the Superintendent, requests for this information shall be answered to the effect that it shall not be released until the employee has advised in writing and has given permission.

## **Responsibilities of Employees**

***All employees and any person having access to District personnel records shall keep information confidential.*** Highly sensitive administrative decisions, personnel discipline, and information not subject to release by the Open Records Act are non-exclusive examples of information that shall be kept confidential.

## **Confidential Employees**

Positions of Confidential Employees include:

- Those employees who report directly to, or who are evaluated by, the Superintendent, including Directors, Internal Auditor, General Counsel and their respective staff;
- All administrative/supervisory personnel and their respective staff.

Protected information may be shared with other confidential employees or administrators as specifically approved by the confidential employee's supervisor. No unauthorized release of confidential information shall be permitted. Examples of inappropriate release of protected information include: discussions of the information with non-confidential employees; casual or intentional release of information to family, friends or acquaintances; or mishandling of confidential documents. Any unauthorized release of confidential information may result in employee discipline, including termination.

## **Official Personnel File**

It is the policy of the Fayette County Board of Education that the official personnel file of all persons employed by Fayette County Schools be maintained and located in the Department of Human Resources, Payroll Office, and Insurance Office located in the Central Office Building. The official evaluation file is maintained under the custody of the immediate supervisor. The official personnel file is recognized as that which contains all Board-approved forms and necessary documentation of education, licensure, skill level, correspondence, payroll items, evaluations, and other requirements needed for employment. These files are the only files legally admissible in a court of law (due process hearing, tribunal, etc.).

Therefore, copies of any and all materials maintained by the immediate supervisor, including employee performance evaluation records, are considered a part of an employee's personnel file. Because of the necessity for evaluators to have frequent and immediate access to previous performance evaluation records, those records shall continue to be held by the employee's immediate supervisor (evaluator).

If an employee's personnel record is subpoenaed, the immediate supervisor will be notified by the General Counsel's Office to reproduce the entire contents of that employee's performance file. The evaluation records, along with the information kept by the Department of Human Resources, Payroll Office, and Insurance Office, constitute a complete personnel file for the employee. The subpoena requires inclusion of all records kept on the employee in question.

If an employee requests to review his/her personnel file, he/she must be informed that performance evaluation records are kept separate from the remainder of his/her personnel records. It is mandatory that the employee be informed that records in both parts of the file are open to inspection by him/her or his/her designee. Files shall be reviewed in the presence of a Department of Human Resources or Payroll Office employee or Principal's designee.

Evaluators shall:

- (1) Keep all records pertaining to the performance of a employee in one file.
- (2) Include in the performance file copies of any correspondence regarding the employee's performance, whether on official evaluation forms or in any other format.
- (3) Allow the employee access to review all records held relating to the performance of his/her job.
- (4) Respond immediately to a request from the Department of Human Resources for a performance evaluation file to be reproduced and provided to that office.
- (5) Upon transfer of an employee, immediately forward his/her performance evaluation file to the new supervisor.

Copies of all information pertaining to an employee's performance, which are included in the official personnel file, shall also be given to the employee. This information should be dated and a copy given to the employee prior to the placement in the official personnel file.

### **Review and Security Procedures**

1. Personnel files removed from the file cabinets for review are to remain in the Department of Human Resources. The "Personnel File Review/Inspection Record" (Form R21) is to be completed each time a personnel file is reviewed. (*See Appendix E.*) The employee's immediate supervisor, employee's potential immediate supervisor (return from leave of absences and transfers), the employee, and other **authorized** staff may review the official personnel file.
2. Official personnel files may be removed from the Department of Human Resources only by **authorized** staff. Those positions are: Superintendent, Board of Education General Counsel, Directors, and Human Resources Administrators and other confidential employees, at the direction of the Human Resources Administrator.
3. Personnel files removed from the Department of Human Resources are to be replaced by use of the "Folder Out" card in

the file drawer. The "Folder Out" card is to be removed at the time the official personnel file is returned.

4. The official personnel file must be handled and maintained in an orderly and careful manner. The logical and sequential order of the items placed in the file must be observed. Pages are to be stored in unfolded placement whenever possible. All written entries or documents are to be legible and are considered a part of the legal permanent records.
5. The payroll related data is maintained in a supplemental file located in the Office of Payroll Services and those items are considered a part of the official personnel file and are to be made available for review subject to the above described conditions.

## **Health Insurance Portability and Accountability Act (HIPAA)**

### *Privacy for Protected Health Information*

The Fayette County School District is a hybrid entity for the purposes of the Health Insurance Portability and Accountability Act ("HIPAA") because its activities include covered and non-covered functions under HIPAA.

As of April 14, 2004, the following departments are designated Health Care Components and must abide by the rules and regulations of HIPAA and any more stringent state law:

1. General Counsel's Office (business associate)
2. Human Resources (small health plan)
3. Financial Services/Insurance Office (small health plan)

### *Designation of Privacy Official and Privacy Complaint Official*

In accordance with HIPAA and its regulations, the Board designates the Associate Director of Employee Services as the Privacy Official and the General Counsel as the Privacy Complaint Official for the Fayette County School District.

The Privacy Official is responsible for: maintaining all documentation required by HIPAA; providing additional information regarding HIPAA and the District's procedures relating to protected health information; performing all duties as required by this policy or related procedures.

The Privacy Complaint Official is responsible for: receiving and investigating all complaints regarding the District's compliance with HIPAA and its own policy and procedures; providing additional information regarding HIPAA and the District's procedures relating to protected health information; and performing all other duties as required by this policy or related procedures.

### *Definitions*

"Protected Health Information" ("PHI") is any health information maintained by the District's health care components that is individually identifiable except educational records covered by the Family Educational Rights and Privacy Act ("FERPA"), treatment records excluded by FERPA or employment records held by the District in its role as an educational institution or employer.

"Individually identifiable health information" means any health information, whether oral or recorded in any form or medium, including demographic information collected from an Individual, that:

1. Is created or received by a health care provider, a health plan, or health care clearinghouse;
2. Relates to the past, present, or future physical or mental health or condition of an Individual; the provision of health care to an Individual; or the past, present, or future payment for the provision of health care to an Individual; and,
3. That identifies the Individual or with respect to which there is a reasonable basis to believe the information can be used to identify the Individual.

### *Privacy Policy*

This policy is for the protection of the privacy of PHI in compliance with HIPAA and any applicable Kentucky law that is more stringent than HIPAA. Any member of the Health Care Components staff who fails to comply with this policy, related procedures, or the requirements of HIPAA shall be subject to discipline, including termination, in accordance with Board Policies 03.17, 03172, 03.173, 03.174, 03.27, 03.2711 and state law.

### *Prohibition on Intimidating or Retaliatory Acts*

The Fayette County School District nor any member of its Staff or Board shall not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against:

1. Any Individual for the exercise by the Individual of any right under, or for participation by the Individual in any process established by, this policy, related procedures, or the HIPAA Privacy Rule, including filing a complaint under HIPAA or under these Policies.
2. Any Individual or other person for:
  - a. Filing of a complaint with the Secretary of Health and Human Services under HIPAA;
  - b. Testifying, assisting, or participating in an investigation, compliance review, proceeding, or hearing under the Administrative Simplification provisions of HIPAA; or
  - c. Opposing any act or practice made unlawful by HIPAA, provided the Individual or person has a good faith belief that the practice opposed is unlawful, and the manner of the opposition is reasonable and does not involve a disclosure of PHI in violation of HIPAA.

#### *Prohibition on Waiver of Rights*

The Fayette County School District and any member of its Staff or Board shall not require an Individual to waive the Individual's rights under this policy, related procedures, or HIPAA as a condition for the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

#### *Construction and Conflicts*

In all instances, this policy and related procedures shall be interpreted and construed to be consistent with the requirements of HIPAA and any more stringent state law.

In the event of any conflict between a provision of this policy or related procedures and a requirement of HIPAA or a more stringent state law, HIPAA or the more stringent state law shall control.

For information concerning the District's procedures for the protection of the privacy of protected health information, please refer to the "HIPAA Privacy Procedures Handbook" maintained by and available from the Privacy Official. The Privacy Official also maintains any and all forms relating to the HIPAA privacy procedures. The procedures and forms are also available from the District's Health Care Components.

## **E. OPEN RECORDS**

The Fayette County Board of Education acknowledges its obligation under the Kentucky Open Records Act to provide the public with access to public records that are maintained by the District.

"Public records" means the portion of all documents, writings, letters, memoranda, or other written, printed, typed, copied, or developed materials that contains public information.

All information collected, assembled, or maintained by or for the District, except in those situations where the District does not have either a right of access to or ownership of the information, pursuant to law or ordinance or in connection with the transaction of official business, is public information.

The following categories of information are among those specifically made public information:

### **Public Information Items:**

- reports, audits, evaluations, and investigations made of, for, or by, the District upon completion;
- the names, salaries, titles, and dates of employment of all employees and officers of the District;
- information in any account, voucher, or contract dealing with the receipt of expenditures of funds by the District, not otherwise made confidential by law;
- the names of every official and the final record of voting on all proceedings in governmental bodies of the District;
- all working papers, research materials, and information used to make estimates of the need for, or expenditure of, public funds or taxes by the District, upon completion of such estimates;
- descriptions of the District's organization and where, from whom, and how the public may obtain information, submit requests, or obtain a decision;
- the official minutes of the Board, its written policies and financial records;

The following categories of information are among those that are not public information:

### **Non-public Information Items**

- information deemed confidential by law, either constitutional, statutory, or by judicial decision;
- information in personnel files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, and transcripts from institutions of higher education maintained in files of professional employees; provided, however, that the degree obtained and the curriculum on the transcripts will be subject to disclosure;
- information relating to litigation of a criminal or civil nature and settlement negotiations, to which the District is, or may be, a party or to which an officer or employee of the District as a consequence of his/her office or employment, is or may be a party, that the Attorney General or the respective attorneys have determined should be withheld from public inspection;
- information that, if released, would give an unfair commercial advantage to competitors or bidders;
- information pertaining to the location of real or personal property for public purposes prior to public announcement of the project, and information pertaining to appraisals or purchase price of real or personal property for public purposes prior to the formal award of contracts therefor;
- records that are specifically exempted from disclosure by state or federal statute; records that would, if disclosed, result in an unwarranted invasion of personal privacy;
- records that would, if disclosed, impair present or imminent contract awards or collective bargaining negotiations;
- records that would, if disclosed, endanger the life or safety of any person;
- records that are inter-agency or intra-agency communications, except to the extent that such materials consist of statistical or factual tabulations or data, instructions to staff that affect the public, or final policies or determinations;

- records that are examination questions or answers that are requested prior to the final administration of such questions;
- records that are compiled for law enforcement purposes and which, if disclosed, would interfere with law enforcement investigations or judicial proceedings, deprive a person of a right to a fair trial or impartial adjudication, identify a confidential source or disclose confidential information relative to a criminal investigation, or reveal criminal investigative techniques or procedures, except routine techniques or procedures.
- drafts and working papers involved in the preparation of proposed policies;
- private correspondence and communications of an elected office holder relating to matters the disclosure of which would constitute an invasion of privacy;
- inter-agency or intra-agency memoranda or letters that would not be available by law to a party in litigation with the District;
- student records;
- curriculum objectives and test items developed by the District; and
- the certified agenda or tape recording of an executive session of a Board meeting, unless a court order makes it available for public inspection and copying.

The District is not required to release information contained in its education records except in conformity with the provisions of the Family Educational Rights and Privacy Act (FERPA) of 1974. *(See Section III[C].)*

### **Custodian of the Public Records**

The Custodian of Public Records should be contacted in writing by anyone wishing to review or receive copies of an official Fayette County Public Schools public record at the following address:

Fayette County Public Schools  
 Support Services - Room 101  
 701 East Main Street  
 Lexington, Kentucky 40502

## **Cost of Reproduction of Records**

Charges made for access to public records comprised in any form other than up to standard size pages or in computer record banks, microfilm records, or other similar record keeping systems, will be set after consultation with the market. In setting charges, due consideration will be given to the expense involved in providing the public records, making every effort to match the charges with the actual cost of providing the records. The costs of providing the records will be in an amount that reasonably includes the actual costs related to providing the record(s) and shall not include the cost of labor.

Students presently attending, District graduates, and/or alumni may receive one (1) copy of their transcript free of charge. Students presently attending District schools shall be charged a fee of fifty cents (\$.50) for each additional copy. Copies of any transcripts that are mailed shall cost one dollar (\$1.00) each.

A fee of ten cents (\$.10) per 8 1/2" x 11" page, twenty-five cents (\$.25) per computer printout or 8 1/2" x 14", shall be charged for copies of records, other than transcripts, when the copies are to be picked up. When copies are to be sent by mail, postage costs shall be charged in addition to the copy fee. Schools are responsible for the expense of mailing copies of their records.

Public records will be furnished without charge or at a reduced charge if the Board determines that waiver or reduction of the fee is in the public interest because furnishing the information would be considered as primarily benefiting the general public.

Information requested on computer diskette shall be of no charge when the requester provides the diskette. If a diskette is not provided, the charge shall be one dollar (\$1.00).

### **III. NONDISCRIMINATION**

#### **A. NONDISCRIMINATION POLICY**

All school districts must have a policy of nondiscrimination. The policy for Fayette County Public Schools is as follows:

**The Board of Education of Fayette County does not discriminate on the basis of sex in the educational programs or activities that it operates, and is required by Title IX of the Education Amendments of 1972 (P.L. 92-318) not to discriminate in such a manner; further, the Board of Education does not discriminate on the basis of disabling condition, in treatment, admission or access to, or employment in, its programs or activities, as required by the Rehabilitation Act of 1973 (P.L. 93-112), as amended, Section 504; nor does the Board of Education discriminate on the basis of race, creed, color, religion, sex (as protected by Title VII), national or ethnic origin, political affiliation, age or disabling condition, in the education programs or activities it operates. *Contact: Barbara Connor, Civil Rights Compliance Officer, 701 East Main Street, Lexington, KY 40502, (859) 381-4318.***

This version of the policy should appear on any documents to be mass distributed (more than ten [10]). Specifically, it should be included on:

- bulletins
- school catalogs
- student handbooks
- staff handbooks
- employee and student publications
- informational materials
- newspaper advertisements (shall include name of contact person)
- brochures
- employment applications

The shortened version is:

**The Board of Education of Fayette County does not discriminate on the basis of race, creed, color, religion, sex (as protected under Title VII or Title IX), national or ethnic origin, political affiliation, age or disability.**

This version may be used **only** when the item being sent is a one-page document or a two-page brochure with limited space.

**A GOOD RULE OF THUMB** – Where documents are to be printed and mass distributed (more than 10) to students, staff, parents, or the general public, it must carry the nondiscrimination policy. ***This does not include correspondence regarding the day-to-day activities of the District/school.***

The nondiscrimination statement should be on the bottom or back of the front or back cover pages, where feasible. Otherwise, it should appear on the bottom or back of page 1.

The Communications/Community Relations Office shall give annual notification to the public regarding compliance with the nondiscrimination guidelines as required by law.

## ***B. SECTION 504 and AMERICANS WITH DISABILITIES ACT***

Section 504 and the Americans with Disabilities Act (ADA) apply to preschool, elementary, secondary, and adult education programs and activities that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

### **Employees**

Section 504 and ADA regulations prohibit discrimination against qualified persons with disabilities in all employment-related decisions and actions in federally assisted programs. The prohibition against discrimination in employment includes, but is not limited to, recruitment, hiring, promotion, award of tenure, layoff and rehiring, rates of pay, fringe benefits, leave, job assignment, training, and participation in employer-sponsored activities.

A qualified person with disabilities is any person with a disability who, with reasonable accommodation, can perform the essential functions of a job. The employment prohibitions against discrimination apply to decisions and actions made directly by recipients, as well as those made

indirectly through contractual arrangements or other relationships with organizations such as employment agencies, labor unions, organizations providing or administering fringe benefits, and organizations providing training and apprenticeship programs.

Under 504 and ADA regulations:

- Reasonable accommodation may include making facilities used by employees accessible to and usable by persons with disabilities, job restructuring, modifying work schedules, acquiring new or modifying existing equipment, or providing a reader for a visually-impaired person or an interpreter for a hearing-impaired person.
- If a recipient can demonstrate that an accommodation would impose undue hardship on the operation of its program, it is not obligated to provide the accommodation.
- A recipient excused from providing an accommodation may not discriminate against an applicant with a disability or employee who is able and willing to make his or her own arrangements to provide the accommodation.
- Recipients are obligated to make reasonable accommodation only to the known mental and physical limitations of an otherwise qualified person with a disability.

For more information and assistance, contact the Associate Director of Employee Services, Department of Human Resources.

### **Students**

For purposes of public educational services, a qualified person with a disability is an individual with a disability who is:

- of an age during which persons without disabilities are provided such services;
- of any age during which it is mandatory under state law to provide such services to persons with disabilities; or

- a person for whom a state is required to provide a free appropriate public education under the Individuals with Disabilities Education Act.<sup>1</sup>

Each recipient that operates a federally assisted public elementary or secondary education program must provide a free and appropriate public education to each qualified person in its jurisdiction, regardless of the nature or severity of the person's disability. Recipients that operate a public elementary or secondary education program must also annually attempt to identify and locate unserved children with disabilities.

Provision of an appropriate education is the provision of regular or special education and related aids and services such that:

- Educational services are designed to meet the individual educational needs of children with disabilities as adequately as the needs of persons without disabilities are met.
- Each child with a disability is educated with children without disabilities, to the maximum extent appropriate to the needs of the child with a disability.
- Nondiscriminatory evaluation and placement procedures are established to guard against misclassification or misplacement of students and a periodic reevaluation is conducted of students who have been provided special education and related services.
- Due process procedures are established so that parents and guardians can review evaluation and placement decisions made with respect to their children and can participate and be represented by legal counsel in any subsequent impartial hearing.

Provision of a free public education requires recipients that operate a public elementary or secondary education program to provide services without cost to the person with a disability, or to his or her parents or guardians, except for those fees imposed on persons without disabilities, parents or guardians. It also means that, if a school district is unable to provide a child with disabilities with an appropriate education and places

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<sup>1</sup> The Individuals with Disabilities Education Act provides for Federal financial assistance to states to ensure that each child with disabilities receives a free appropriate public education. Copies of the regulation implementing the Individuals with Disabilities Education Act may be obtained by writing to the Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

or refers that child to a program it does not operate, the District is still responsible for the costs of the program, including tuition, room and board, transportation, and non-medical care.

An appropriate education could consist of education in regular classes, education in regular classes with the use of supplementary services, or special education and related services. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions, and may be accompanied by such related services as developmental, corrective, and other supportive services, including psychological counseling and medical diagnostic services.

Children with disabilities must also be afforded an equal opportunity to participate in non-academic and extracurricular services and activities such as counseling, physical education, recreational athletics, transportation, health services, recipient sponsored clubs, recipient employment and assistance in obtaining outside employment. These services must be provided by the recipient in such manner as is necessary to afford students with disabilities an equal opportunity for participation.

Elementary and secondary school recipients operating preschool and adult education programs must take into account the needs of qualified disabled persons in determining the aid, benefits, or services to be provided under these programs or activities.

For more information and assistance, contact the 504 Coordinator, Department of Student Achievement.

### ***C. NONDISCRIMINATION EMPLOYMENT PRACTICES IN EDUCATION***

#### **Title VI**

Title VI protects people from discrimination on the basis of race, color, or national origin in any program.

#### **Title VII**

Title VII covers only employment discrimination and includes employment by every kind of employer. Title VII coverage includes religion and sex discrimination.

## **Title IX**

Title IX of the Education Amendments of 1972 protects people from discrimination on the basis of sex in employment and employment practices in education programs or activities receiving Federal financial assistance.

The prohibition on discrimination in employment in the Education Department regulation for Title IX encompasses, but is not limited to, recruitment, advertising, hiring, upgrading, tenure, firing, rates of pay, fringe benefits, leave for pregnancy and childbirth, and participation in employer-sponsored activities. The regulation applies to all FCPS employment decisions, whether made directly or indirectly through contractual arrangements with referral agencies, labor unions, organizations providing or administering fringe benefits, or others.

Selected requirements of the regulation are summarized below.

- **Compensation**

Under Title IX, recipients of Federal financial assistance cannot establish or enforce policies that result in unequal compensation to employees on the basis of sex in jobs that require equal skill, effort, and responsibility, and that are performed under similar conditions.

- **Employment Tests**

An employment test that screens out people on the basis of sex may not be used unless the test is shown to validly predict successful performance in the position in question and alternative tests are shown to be unavailable.

- **Pre-employment Inquiries**

The regulation makes a distinction between inquiries about marital status and inquiries about gender. Marital status inquiries are prohibited. Inquiries about gender are permissible when they are made equally for both sexes and are not used for discriminatory purposes. For example, it is permissible to ask the sex of applicants to develop "applicant flow data" to monitor equal employment opportunity.

- **Marital or Parental Status**

Federal recipients, under Title IX, may not establish or enforce policies concerning the current or potential marital or parental status of employees or applicants. Also, recipients may not differentiate on the basis of sex over whether a person is the head of a household or the principal wage earner in a family.

Title IX requires recipients to treat pregnancy and related conditions, including termination of pregnancy, the same as other temporary disabilities. This includes the granting of leave, payment of disability income, accrual of seniority, and the provision of other benefits and services.

- Sex as a Bona-fide Occupational Qualification

Recipients may engage in action otherwise prohibited by Title IX if sex is shown to be a bona-fide occupational qualification for a job. For example, recipients may consider an applicant's sex when hiring for a position in a locker room or toilet facility used only by one sex.

#### ***IV. APPENDIX***

- A Log of Inspection of Student Records (Form SRF 120)
- B Authorization for Release or Inspection of Student Records (Form SRF 118)
- C Request for Hearing (Form SRF 119)
- D Student Record Release Form
- E Personnel File/Review Inspection Record (Form R21)



**FAYETTE COUNTY PUBLIC SCHOOLS**

701 East Main Street  
Lexington, Kentucky 40502  
(859) 381-4100

AUTHORIZATION FOR RELEASE OR INSPECTION OF STUDENT RECORDS

(Pursuant to the Family Educational Rights and  
Privacy Act of 1974, 20 USC § 1232g)

Name of School: \_\_\_\_\_

The Fayette County Public Schools are hereby authorized to:

Release or Copy

Permit the Inspection of

the following listed records of \_\_\_\_\_, who was born on  
(Name of Student)  
\_\_\_\_\_, to/by \_\_\_\_\_.  
(Name of Individual or Agency)

Check applicable records and specify reason for release or authorization to inspect.

RECORDS

REASON

All Cumulative Records

\_\_\_\_\_

Attendance Record Only

\_\_\_\_\_

Grade Records Only

\_\_\_\_\_

Standardized Test Data Only

\_\_\_\_\_

Other (Please Specify)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Legal Guardian

\_\_\_\_\_  
Signature of Student, if 18 Years of Age or Older

**FAYETTE COUNTY PUBLIC SCHOOLS**

701 East Main Street  
Lexington, Kentucky 40502  
(859) 381-4100

REQUEST FOR HEARING

(Pursuant to the Family Educational Rights and  
Privacy Act of 1974, 20 USC § 1232g[a][2])

Date: \_\_\_\_\_

I, \_\_\_\_\_, parent or legal guardian of  
(Please Print)

\_\_\_\_\_, whose birth date is \_\_\_\_\_,  
(Please Print)

a student or former student of the Fayette County Public Schools, do hereby request an opportunity to appear before appropriate school officials to challenge the following specific data or information included in the student's school records as being inaccurate, misleading or otherwise in violation of the privacy or other rights of the student:

**LIST SPECIFIC ENTRIES OR INCLUSIONS AND THE BASIS FOR THE CHALLENGE:**

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_
4. \_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if necessary)

I request that I be notified as to the time and place of the hearing and that the time of the hearing be set as soon as practicable.

\_\_\_\_\_  
Signature of Parent/Legal Guardian

\_\_\_\_\_  
Signature of Student, if 18 Years of Age or Older

*\*Insert name of student and cross out "parent or legal guardian of \_\_\_\_\_" if request is by a student or former student who is 18 years of age or older.*

**[School Name]**  
[School Address and Telephone Number]

STUDENT RECORD RELEASE FORM

I, as parent or guardian of \_\_\_\_\_, authorize and approve the release of all information concerning the educational placement of my child, who is enrolling in grade \_\_\_\_\_ and whose birth date is \_\_\_\_\_.

Records are in the custody of:

Records will be sent to:

\_\_\_\_\_  
School  
\_\_\_\_\_  
Street  
\_\_\_\_\_  
City, State, ZIP Code

\_\_\_\_\_  
School  
\_\_\_\_\_  
Street  
\_\_\_\_\_  
City, State, ZIP Code

This information should include:

1. Grades and/or academic standing, credits (units)
2. Psychological evaluation report
3. Individual standardized achievement test results
4. Individual education program and due process forms
5. Health forms
6. Key to grading system
7. Please include portfolio work if in the state of Kentucky

My signature below constitutes notice to me that this information will be disclosed only to school personnel that have a legitimate educational interest in my child. I understand that I may inspect this information and/or records if I make application to do so through the Pupil Personnel Office.

Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of Parent/Legal Guardian

\_\_\_\_\_  
Signature of Student, if 18 Years of Age or Older

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone Number: (\_\_\_\_) \_\_\_\_\_

